STATUTORY INSTRUMENTS

2004 No. 560

NATIONAL HEALTH SERVICE ENGLAND AND WALES

ROAD TRAFFIC

The Road Traffic (NHS Charges) Amendment Regulations 2004

Made - - - -	*3rd March 2004*
Laid before Parliament	*8th March 2004*
Coming into force - -	*1st April 2004*

The Secretary of State for Health, in exercise of the powers conferred on him by sections 3(2) and (4), 16(2) and 17 of the Road Traffic (NHS Charges) Act 1999(**a**), and all other powers enabling him in that behalf, hereby makes the following Regulations——

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Road Traffic (NHS Charges) Amendment Regulations 2004 and shall come into force on 1st April 2004.

(2) In these Regulations, "the principal Regulations" means the Road Traffic (NHS Charges) Regulations 1999(**b**).

(3) These Regulations extend to England and Wales(**c**).

Amendment of regulation 4 of the principal Regulations

2. Regulation 4 of the principal Regulations (amount of NHS Charges – Incidents on or after 2nd July 1997) is amended as follows—

(a) in paragraph (2)—

(i) in sub-paragraph (a) for the words from "amount of £440" to "£452" there is substituted "amount of £473",

(ii) in sub-paragraph (b) for the words from "sum of £541" to the end there is substituted "amount of £582 for each day, or part day, of admission.".

(b) in paragraph (4) for the words from "shall be £30,000" to the end there is substituted "shall be £34,800.".

(**a**) 1999 c.3. Section 17 is cited for the definitions of "prescribed" and "regulations".
(**b**) S.I. 1999/785 as amended by 2001/4030, 2002/237 and 2995.
(**c**) The functions of the Secretary of State under the above mentioned powers as regards Wales remain exercised by Westminster Ministers.

Saving

3. Notwithstanding regulation 2 above, the principal Regulations shall continue to have effect in respect of a certificate relating to an incident which occurred before 1st April 2004 as if the amendments made by these Regulations had not been made.

Signed by authority of the Secretary of State for Health

Rosie Winterton
Minister of State,
Department of Health

3rd March 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Traffic (NHS Charges) Regulations 1999 ("the principal Regulations") which provide for a scheme for the recovery from insurers and certain other persons, of charges in connection with the treatment of road traffic casualties by the National Health Service (NHS).

Amendments made to the principal Regulations by regulation 2 increase the charges. Where a traffic casualty received NHS treatment but was not admitted to hospital in respect of an incident which occurred on or after 1st April 2004 the charge is increased from £452 to £473. The daily charge for NHS in-patient treatment in respect of an incident which occurred on or after 1 April 2004 is increased from £556 to £582. The maximum charge for in-patient treatment in respect of an incident which occurred on or after 1 April 2004 is increased from £33,000 to £34,800.

Regulation 3 is a saving provision which maintains the current charges for incidents occurring before 1st April 2004.

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